

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST	FINAL DECISION AND ORDER
DUC PHUOC TRAN,	LS99020119BAC
D/B/A LA NAILS	
RESPONDENTS	

Division of Enforcement Case No. 98 BAC 108

The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Duc Phuoc Tran
LA Nails
311 E. Main St.
Watertown, WI 53094

Barbering and Cosmetology Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Duc Phuoc Tran (DOB 11-02-58) 262 Meadowside Ct., Pewaukee, WI 53072, is duly licensed as a manicurist in the state of Wisconsin (license #1921). This license was first granted on May 19, 1995.
2. LA Nails, 311 E. Main St., Watertown, WI 53094, is duly licensed as a manicuring establishment in the state of Wisconsin (license #890). This license was first granted on April 4, 1997. Duc Phuoc Tran is listed with the Department of Regulation and Licensing as the owner of LA Nails. As owner, Mr. Tran was and is at all times relevant to this action responsible for compliance with ch. 454, Stats. and Wisconsin Administrative Code chs. BC 2, 3 and 4.
3. On exact dates unknown, but at least on November 5, 1998, Duc Phuoc Tran operated LA Nails without a manicuring establishment license.
4. On exact dates unknown, but at least on November 5, 1998, LA Nails did not possess a disinfectant registered with the U.S. environmental protection agency as a tuberculocidal agent.

5. On exact dates unknown, but at least on November 5, 1998, LA Nails neither disinfected reusable manicure instruments prior to use on patrons nor disposed of the manicure instruments that could not be cleaned and disinfected.
6. In resolution of this matter, Mr. Tran consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

By the conduct referred to in ¶¶ 3-5, above, Duc Phuoc Tran, d/b/a LA Nails, violated secs. 454.08(1)(b) and 454.15(2)(i), Stats. and Wis. Admin. Code §§ BC 2.06(1), BC 4.04(1) and BC 4.10.

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Duc Phuoc Tran, d/b/a LA Nails shall pay to the Department of Regulation and Licensing a forfeiture of THREE HUNDRED dollars (\$300.00). Payment shall be submitted within 60 days from the date of this order. Payment shall be made by ***certified check or money order***, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

IT IS FURTHER ORDERED that in the event Duc Phuoc Tran fails to timely submit payment of the forfeiture as set forth above, the establishment license of LA Nails (#890) **SHALL BE SUSPENDED**, without further notice or hearing, until Respondents have complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: James Fahey

February 1, 1999

A member of the Board

Date